UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/881,331	06/13/2001	Karen Eleanor Board	P3016	7159

			EXAMINER
24739	7590	03/08/2006	BHATIA, AJAY M

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ART UNIT	PAPER NUMBER
2145	

DATE MAILED: 03/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	**Applicant(s)**
	09/881,331	BOARD ET AL.
Office Action Summary	**Examiner**	**Art Unit**	
	Ajay M. Bhatia	2145	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *18 January 2006*.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
   closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *43-81* is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *43-81* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All   b)☐ Some *   c)☐ None of:

   1.☐ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____.

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
      application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
   Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date _____.
5)☐ Notice of Informal Patent Application (PTO-152)
6)☐ Other: _____.

Response to Arguments

Applicant's arguments with respect to claims 43-81 have been considered but are

moot in view of the new ground(s) of rejection. Applicant's amendment necessitated the

new ground(s) of rejection presented in this Office action.

Applicant has amended to include "user profile at least specifying a format,"

Fields clear show in Col. 5 lines 33-65, saving of the template for the user, specifically

one according to the specific user.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

1.   Claims 43, 45-49, 52-54, 56-67, are rejected under 35 U.S.C. 103(a) as being

unpatentable over Langseth et al. (U.S. Patent 6,662,195, referred to as Langseth) in

view of Fields et al. (U.S. Patent 6,539,420, referred to as Fields).

2.   For claim 43, Langseth teaches, a network-based system for providing data to

requesting users comprising:

one or more server nodes connected to the network, at least one of which is

input-ported for receiving data feeds and external data sources and output- ported for

transmitting the data stripped from the feeds to the requesting users; (see Langseth, Col. 23 lines 34-40 and Col. 22 line 64 to Col. 23 line 10)

one or more instances of software executing on the one or more server nodes, the software for stripping the data from the feeds, and accepting information, including configuration information from users interfacing with the software by way of an Internet-capable appliance and supported platform; and (see Langseth, Col. 23 lines 34-40) .

a mass storage repository accessible to the one or more server nodes, the data repository for storing the stripped data and for storing user profile and account data; (see Langseth, Col. 23 lines 34-40)

Internet-capable device (see Langseth, Col. 4 lines 5-10)

Langseth fails to teach, wherein the system provides pre-programmed configuration templates to users for use in configuring at least part of the user profile at least specifying a format for that user's Internet-capable appliance, enabling the system to send data for display to the user in the required format

Fields teaches, wherein the system provides pre-programmed configuration templates to users for use in configuring at least part of the user profile at least specifying a format for that user's Internet-capable appliance, enabling the system to send data for display to the user in the required format. (see Fields, figures 5A,B, Col.3 lines 53-58, Col. 5 lines 33-65, save Col. 3 line 60 to Col. 4 line 18)

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the method of Langseth of stripping, saving and outputting with the pre-programmed template system of Fields in order to improve the disbursement of rapidly changing content. (see Langseth, Col. 1 lines 28-43) and (see Fields, Col. 1 lines 30-62)

3.   For claim 45, Langseth-Fields teaches, the system of claim 43 wherein the pre-programmed configuration templates include one or more drop down menus. (see Fields, Col. 5 lines 33-65)

The same motivation that was utilized in the rejection of claim 43, applies equally as well to claim 45.

4.   For claim 46, Langseth-Fields teaches, the system of claim 45 wherein the drop down menus include selections for market alerts for selected stocks, or selection for configuring the rendering of the stripped data for display on a particular user device for which data is intended. (see Fields, Col. 5 lines 33-65)

5.   For claim 47, Langseth-Fields teaches, the system of claim 43, wherein the network is the Internet network. (see Langseth, Col. 14 lines 32-43)

6.   For claim 48, Langseth-Fields teaches, the system of claim 43, wherein data transmitted to user is transmitted over a cooperating interfacing networks include one or

a combination of a paging network, a wireless network, and a wireless Internet service network. (see Langseth, Col. 14 lines 44-58)

7.   For claim 49, Langseth-Fields teaches, the system of claim 43, wherein data transmitted comprises publicly oriented financial activity and news information. (see Langseth, Col. 14 lines 44-58)

8.   For claim 52, Langseth-Fields teaches, the system of claim 43, wherein data rendered to users is of the form of alerts triggered through detection of specific and variable conditions associated with the data, the conditions configured into orders received from users. (see Langseth, Col. 3 lines 52-57)

9.   For claim 53, Langseth-Fields teaches, the system of claim 43, wherein data rendered to users further includes most recent real-time values associated with the requested data. (see Langseth, Col. 3 lines 25-27)

10.   For claim 54, Langseth-Fields teaches, in a network-based system for providing data to requesting user, a software application for managing the function of the system, comprising:

a user-interface component for interfacing with users the purpose of accepting data about users and for accepting orders from users; (see Langseth, Col. 5 lines 1-8)

a source-interface component for receiving data feeds from external data

sources, parsing data feeds for data pertinent to user orders, and for directing the

parsed data into a data repository; (see Langseth, Col. 23 lines 34-40)

a database management component for managing database operations including

associating appropriate data parsed through order to appropriate requesting users; (see

Langseth, Col. 4 lines 40-48 and Col. 14 lines 44-67)

wherein user are enabled through an electronic interactive interface of the

software application to define personalized service profiles, utilizing pre-programmed

templates provided by the system for at least specifying a format for the user's Internet-

capable device, enabling the system to send data for display in the required format of

the Internet-capable device. (see Fields, figures 5A,B, Col.3 lines 53-58, Col. 5 lines 33-

65, save Col. 3 line 60 to Col. 4 line 18)

The same motivation that was utilized in the rejection of claim 43, applies equally as

well to claim 54.

11.   For claim 56, Langseth-Fields teaches, the software application of claim 54

wherein the pre-programmed configuration templates include one or more drop down

menus. (see Fields, Col. 5 lines 33-65)

12.   For claim 57, Langseth-Fields teaches, the software application of claim 56

wherein the drop down menus include selections for market alerts for selected stocks,

or selection for configuring the rendering of the stripped data for display on a particular

user device for which data is intended. (see Fields, Col. 5 lines 33-65)

The same motivation that was utilized in the rejection of claim 43, applies equally as

well to claim 57.

13.   For claim 58, Langseth-Fields teaches, the software application of claim 54,

wherein the network is the Internet network. (see Langseth, Col. 14 lines 32-43)

14.   For claim 59, Langseth-Fields teaches, the software application of claim 54,

wherein the user-interface component is accessible through the Internet using an

Internet-capable computing device, or via wireless data networks connected to the

Internet. (see Langseth, Col. 4 lines 6-9 and Col. 9 lines 34-38)

15.   For claim 60, Langseth-Fields teaches, the software application of claim 59,

wherein the Internet-capable computing device is a personal computer. (see Langseth,

Col. 4 lines 6-9 and Col. 9 lines 34-38)

16.   For claim 61, Langseth-Fields teaches, the software application of claim 59,

wherein the Internet-capable computing device is a hand-held computer. (see Langseth,

Col. 4 lines 6-9 and Col. 9 lines 34-38)

17.   For claim 62, Langseth-Fields teaches, the software application of claim 54,

distributed to a single server node in the case of one server node. (see Langseth, Col. 5

lines 17-32)

18.   For claim 63, Langseth-Fields teaches, the software application of claim 54,

distributed to more than one server node in the case of more server nodes. (see

Langseth, Col. 5 lines 17-32)

19.   For claim 64, Langseth-Fields teaches, the software application of claim 54,

wherein data about users includes account data, contact data, device data, and portfolio

data. (see Langseth, Col. 19 lines 24-34, Col. 4 lines 42-47 and Col. 4 lines 5-9)

20.   For claim 65, Langseth-Fields teaches, the software application of claim 54,

wherein orders from users include conditional alert orders, time-sensitive alert orders,

and event-driven alert orders. (see Langseth, Col. 3 lines 52-57)

21.   For claim 66, Langseth-Fields teaches, the software application of claim 54,

wherein the source-interface component cooperates with the data-conversion

component to affect data conversion before directing the parsed data into the data repository. (see Langseth, Col. 23 lines 34-40)

22.   For claim 67, Langseth-Fields teaches, the software application of claim 66, wherein the user-interface component cooperates with the data-conversion component to affect data conversion to data about users before storing the data and to order data before storing and initiating execution of the data orders. (see Langseth, Col. 23 lines 34-40)

23.   Claims 44, 50-51, 55, 68-81, are rejected under 35 U.S.C. 103(a) as being unpatentable over Langseth-Fields as applied to claims 43, 45-49, 52-54, 56-67, 82-83, and 85-95 above, and further in view of Jamtgaard et al. (U.S. Patent 6,430,624, referred to as Jamtgaard).

24.   For claim 44, Langseth-Fields teaches, the system of claim 43 wherein the user, through the interactive interface is further enabled to order and receive the stripped data in a usable presentation format personalized to each user (see Fields, Col. 5 lines 33-65) (see Langseth, Col. 9 lines 7-12)

Langseth-Fields fails to clearly disclose, rendered to each user through a particular cooperation interface network to the particular wireless communication device operated by individual one of the users, the device configured for receiving the stripped data.

Jamtgaard teaches, rendered to each user through a particular cooperation interface

network to the particular wireless communication device operated by individual one of

the users, the device configured for receiving the stripped data.

It would have been obvious to on of ordinary skill in the art at the time of the

invention was made to combine the stripping, storage, outputting and pre-programmed

template system of Langseth-Fields with the rendering and transmitting to multiple

device types method of Jamtgaard in order to improve the "look and feel" of displaying

content. (see Jamtgaard, Col. 2 lines 26-38) and (see Fields, Col. 1 lines 30-62)z

25.   For claim 50, Langseth-Fields-Jamtgaard teaches, the system of claim 43,

wherein the wireless communication devices configured for receiving the data rendered

by the system are one of a one-way pager, a two-way pager, a hand-held computing

device, or a Web enabled telephone. (see Langseth, Col. 9 lines 34-38)

26.   For claim 51, Langseth-Fields-Jamtgaard teaches, the system of claim 43,

wherein the data feed received from external data sources is parsed and converted into

eXtensible Markup Language before being converted to the appropriate data format

before being rendered. (see Jamtgaard, Col. 2 lines 63-67 and Col. 5 lines 60-64, RML

is inherently eXtensible Markup Language)

The same motivation that was utilized in the rejection of claim 44, applies equally as well to claim 51.

27.   For claim 55, Langseth-Fields-Jamtgaard teaches, the software application of claim 54 wherein the user, through the interactive interface is further enabled to order and receive the stripped data in a usable presentation format personalized to each user and rendered to each user through a particular cooperation interface network to the particular wireless communication device operated by individual one of the users, the device configured for receiving the stripped data. (see Fields, Col. 5 lines 33-65) (see Langseth, Col. 9 lines 7-12) (see Jamtgaard, Col. 7 lines 12-48)

The same motivation that was utilized in the rejection of claim 44, applies equally as well to claim 55.

28.   For claim 68, Langseth-Fields-Jamtgaard teaches, the software application of claim 67, wherein the data-conversion component converts data results from the common markup language to the appropriate data formats before initiating the data-transport component for delivering the data. (see Jamtgaard, Col. 2 lines 48-59)

The same motivation that was utilized in the rejection of claim 44, applies equally as well to claim 68.

29.   For claim 69, Langseth-Fields-Jamtgaard teaches, the software application of

claim 68, wherein orders from users received through the user-interface component

result in periodic data pushes to the device of the requesting user. (see Langseth, Col.

23 lines 20-23)

The same motivation that was utilized in the rejection of claim 44, applies equally as

well to claim 69.

30.   For claim 70, Langseth-Fields-Jamtgaard teaches, software application of claim

69, wherein orders are received through bi-directional interface with the data-transport

component, the orders comprising on-demand orders. (see Jamtgaard, Col. 2 lines 40-

47)

The same motivation that was utilized in the rejection of claim 44, applies equally as

well to claim 70.

31.   For claim 71, Langseth-Fields-Jamtgaard teaches, a method for a service for

transmitting data to requesting users connected by a data link, comprising steps of:

(a) receiving configuration information from a user defining a profile for the user's

Internet-capable device, enabling the system to send data for display in the required

format of the Internet-capable device, the information generated in part by the user

operating a pre-programmed template provided by the service; (see Fields, figures

5A,B, Col.3 lines 53-58, Col. 5 lines 33-65. Col. 3 line 60 to Col. 4 line 18)

(b) receiving an order for data from a user, the user sending the order through the data

link; (see Jamtgaard, Col. 7 lines 13-14)

(c) parsing a data feed identified in the received order, the data feed continually tapped

by the service and the parsing performed to identify data in the feed that is requested by

the order; (see Langseth, Col. 23 lines 34-40)

(d) stripping the portions of data from the data feed according to instructions contained

in the order; (see Langseth, Col. 23 lines 34-40)

(e) associating the stripped portions of a data to the author of the order for the data;

and (see Jamtgaard, Col. 7 lines 20-25)

(f) transporting the requested data to the user back over the data link, according to the

format definition in step a. (see Langseth, Col. 5 lines 24-32) and (see Fields, figures

5A,B, Col.3 lines 53-58, Col. 5 lines 33-65, save Col. 3 line 60 to Col. 4 line 18)

The same motivation that was utilized in the rejection of claim 44, applies equally as

well to claim 71.

32.   For claim 72, Langseth-Fields-Jamtgaard teaches, the method of claim 71

wherein the user, through the interactive interface is further enabled to order and

receive the stripped data in a usable presentation format personalized to each user and

rendered to each user through a particular cooperation interface network to the

particular wireless communication device operated by individual one of the users, the

device configured for receiving the stripped data. (see Fields, Col. 5 lines 33-65) (see

Langseth, Col. 9 lines 7-12) (see Jamtgaard, Col. 7 lines 12-48)

The same motivation that was utilized in the rejection of claim 44, applies equally as

well to claim 72.

33.   For claim 73, Langseth-Fields-Jamtgaard teaches, the method of claim 71

wherein the pre-programmed configuration templates include one or more drop down

menus. (see Fields, Col. 5 lines 33-65)

34.   For claim 74, Langseth-Fields-Jamtgaard teaches, the method of claim 73

wherein the drop down menus include selections for market alerts for selected stocks,

or selection for configuring the rendering of the stripped data for display on a particular

user device for which data is intended. (see Fields, Col. 5 lines 33-65)

35.   For claim 75, Langseth-Fields-Jamtgaard teaches, the method of claim 71,

wherein the feed is from Internet network and the data link comprises a wireless data

link facilitated by a wireless service carrier. (see Langseth, Col. 5 lines 1-8,Col. 4 lines

5-10, Col. 14 lines 32-43)

36.   For claim 76, Langseth-Fields-Jamtgaard teaches, the method of claim 71

wherein the data link is one of a wireless data link, a pager network data link, or a

wireless Internet data link. (see Langseth, Col. 4 lines 5-10)

37.   For claim 77, Langseth-Fields-Jamtgaard teaches, the method of claim 71

wherein the order is an on-demand order initiated through one of a one-way pager, a

two-way pager, a handheld computing device, or the Web enabled wireless telephone.

(see Langseth, Col. 4 lines 5-10)

38.   For claim 78, Langseth-Fields-Jamtgaard teaches, the method of claim 77

wherein the data feed contains market activity information and the order requests the

most current activity values associated with specific instruments reported by the feed.

(see Langseth, Col. 3 lines 25-28 and Col. 14 lines 44-58)

39.   For claim 79, Langseth-Fields-Jamtgaard teaches, a method of claim 78 wherein

the data feed contains market news information and the order requests the most current

news summaries as reported by the feed. (see Langseth, Col. 4 lines 42-47 and Col. 14

lines 44-58)

40.   For claim 80, Langseth-Fields-Jamtgaard teaches, the method of claim 71,

wherein instructions contained in the order pertain to one or more instruments generic

to the data feed. (see Langseth, Col. 23 lines 34-40)

41.   For claim 81, Langseth-Fields-Jamtgaard teaches, the method of claim 26,

wherein steps (a)-(f) are repeated a plurality of times during one session on behalf of

one user engaging in the session. (see Jamtgaard, Col. 5 lines 45-53)

The same motivation that was utilized in the rejection of claim 44, applies equally as

well to claim 81.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ajay M. Bhatia whose telephone number is (571)-272-3906. The examiner can normally be reached on M-F 8:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Cardone can be reached on (571)272-3933. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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